

**SUPREME COURT OF TENNESSEE
SUPREME COURT DISCRETIONARY APPEALS
Grants & Denials List**

Monday, November 15, 2010

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Michael Lind v. Beaman Dodge, Inc., d/b/a Beaman Dodge Chrysler Jeep, et al. M2010-01680-SC-S09-CV	Rutherford County Circuit Court Judge Royce Taylor No. 59485	Per Curiam, Rule 9 Denied	Rule 9	Granted - Application of Beaman Dodge, Inc. (Order filed 11-10-2010; copy attached)
<u>Knoxville</u>				
State of Tennessee v. Lonnie L. Cross E2008-02792-SC-R11-CD	Bradley County Criminal Court Judge Amy F. Reedy No. M-07-478	Ogle, J., Reversed in Part; Affirmed in Part	Rule 11	Granted - Applications of State of Tennessee and Lonnie L. Cross (Order filed 11-10-2010; copy attached)
Discover Bank v. Joy A. Morgan E2009-01337-SC-R11-CV	Sevier County Circuit Court Judge Richard R. Vance No. 2006-0172-II	Swiney, J., Affirmed in Part; Vacated in Part	Rule 11	Granted - Application of Joy A. Morgan (Order filed 11-10-2010; copy attached)

State of Tennessee v. David Nagele E2009-01313-SC-R11-CD	Knox County Criminal Court Judge Bob R. McGee No. 75138	Tipton, J., Affirmed	Rule 11	Granted - Application of David Nagele (Order filed 11-10-2010; copy attached)
<u>Jackson</u>				
NONE				

**SUPREME COURT OF TENNESSEE
SUPREME COURT DISCRETIONARY APPEALS**

Monday, November 15, 2010

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
State of Tennessee v. Demance Marshall Beasley M2009-01188-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2008-C-2849	Welles, J., Affirmed	Rule 11	Denied - Application of Demance Marshall Beasley (Order filed 11-10-2010)

Pamela C. Bess v. Properties, L.P., d/b/a City of Gruetlilaager and Rand D. King M2008-01691-SC-R11-CV	Grundy County Circuit Court Judge Buddy Perry No. 7740	Bennett, J., Reversed	Rule 11	Denied - Application of Pamela C. Bess (Order filed 11-10-2010)
Wesley Earl Brown v. State of Tennessee M2008-01923-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2002-A-328	Wedemeyer, J., Affirmed	Rule 11	Denied - Application of Wesley Earl Brown (Order filed 11-10-2010)
Mary Coleman, et al. v. St. Thomas Hospital M2009-02526-SC-S10-CV	Davidson County Circuit Court Judge Hamilton V. Gayden, Jr. No. 04C-2183	Highers, J., Reversed and Remanded	Rule 10	Denied - Application of Mary Coleman, Chloe Nguyen and Cassandra Dixon (Order filed 11-15-2010)
William Cameron Cone v. Georgia Elise Dunn Cone M2008-02303-SC-R11-CV	Robertson County Circuit Court Judge Ross H. Hicks No. 10443	Bennett, J., Affirmed	Rule 11	Denied - Application of Georgia Elise Dunn Cone (Order filed 11-15-2010)
Phedrek T. Davis v. State of Tennessee M2009-01616-SC-R11-PC	Davidson County Criminal Court Judge Seth Norman No. 2003-D-2992	Tipton, J., Affirmed	Rule 11	Denied - Application of Phedrek T. Davis (Order filed 11-10-2010)
State of Tennessee v. Deonray J. Fisk M2007-02353-SC-R11-CD	Warren County Circuit Court Judge Larry B. Stanley, Jr. No. F-11077	Woodall, J., Affirmed as Modified	Rule 11	Denied - Application of Deonray J. Fish (Order filed 11-10-2010)
State of Tennessee v. George R. Fyke M2009-01656-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway, III Nos. 40601324, 40601453, 40701582 and 40701380	Welles, J., Affirmed	Rule 11	Denied - Application of George R. Fyke; Denied - George R. Fyke's Motion for Appointment of Counsel (Order filed 11-10-2010)

Harold Greenleaf v. State of Tennessee M2009-01975-SC-R11-CD	Rutherford County Circuit Court Judge Don Ash No. F-62900	Welles, J., Affirmed	Rule 11	Denied - Application of Harold Greenleaf (Order filed 11-15-2010)
Wayne Lydell Holt v. State of Tennessee M2009-00933-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 99-B-803	Smith, J., Affirmed	Rule 11	Denied - Application of Wayne Lydell Holt (Order filed 11-12-2010)
Jonathon C. Hood v. State of Tennessee M2009-00661-SC-R11-PC	Franklin County Circuit Court Judge Thomas W. Graham No. 17294	Woodall, J., Appeal Dismissed	Rule 11	Denied - Application of Jonathon C. Hood (Order 11-15-2010)
State of Tennessee v. Floyd Rodriquez Johnson M2009-01270-SC-R11-CD	Montgomery County Circuit Court Judge John Gasaway Nos. 40601144, 40700186 and 40700310	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Floyd Rodriquez Johnson (Order filed 11-10-2010)
Timothy Wade Keyt v. Nanci Suzanne Keyt M2008-01609-SC-R11-CV	Putnam County Chancery Court Chancellor Ronald Thurman No. 02-174	Clement, J., Affirmed	Rule 11	Denied - Application of Timothy Wade Keyt (Order filed 11-10-2010)
Phyllis Ann McBride v. State of Tennessee M2009-01467-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. F-23199	Tipton, J., Affirmed	Rule 11	Denied - Application of Phyllis Ann McBride (Order filed 11-15-2010)
Grady Wayne Mealer v. State of Tennessee M2008-02676-SC-R11-PC	Marshall County Circuit Court Judge Robert Crigler No. 2008CR86	Woodall, J., Affirmed	Rule 11	Denied - Application of Grady Wayne Mealer (Order filed 11-10-2010)

State of Tennessee v. Jocelyn D. Mims M2009-00512-SC-R11-CD	Sumner County Criminal Court Judge David Patterson No. 288-2008	Welles, J., Affirmed	Rule 11	Denied - Application of Jocelyn D. Mims (Order filed 11-10-2010)
Mark C. Noles v. State of Tennessee M2009-02073-SC-R11-PC	Rutherford County Circuit Court Judge David Bragg No. F-62516	Smith, J., Affirmed	Rule 11	Denied - Application of Mark C. Noles (Order filed 11-10-2010)
Stephen Owens, et al. v. The McClellan Firm, et al. M2009-02256-SC-R11-CV	Robertson County Circuit Court Judge Ross H. Hicks No. 11686	Per Curiam, Appeal Dismissed	Rule 11	Denied - Application of Matthew Lockridge (Order filed 11-10-2010)
State of Tennessee v. James H. Saint, Jr. M2009-01278-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2005-C-2234	Welles, J., Affirmed	Rule 11	Denied - Application of James H. Saint, Jr. (Order filed 11-10-2010)
Mark Schiefelbein v. State of Tennessee M2008-02467-SC-R11-PC	Williamson County Circuit Court Judge R. E. Lee Davis No. CR03365	McLin, J., Affirmed	Rule 11	Denied - Application of Mark Schiefelbein (Order filed 11-10-2010)
Joseph Dejuan Webster v. State of Tennessee M2009-01540-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2005-B-1384	Smith, J., Affirmed	Rule 11	Denied - Application of Joseph Dejuan Webster (Order filed 11-10-2010)
Daniel C. Wicker, II, et al. v. Commissioner, Tennessee Department of Revenue M2009-02305-SC-S09-CV	Maury County Chancery Court Judge Jim T. Hamilton No. 08-888	Highers, J., Reversed	Rule 11	Denied - Application of Daniel C. Wicker, II and Joseph D. Williams (Order filed 11-15-2010)

Knoxville

State of Tennessee v. Albert Lebron Belcher E2009-01357-SC-R11-CD	Hamilton County Criminal Court Judge Don W. Poole No. 266281	Witt, J. and McMullen, J., Appeal Dismissed	Rule 11	Denied - Application of Albert Lebron Belcher (Order filed 11-12-2010)
Michael Clawson, et al. v. Michael L. Burrow, et al. E2008-02412-SC-R11-CV	Carter County Circuit Court Judge Jean A. Stanley No. C-8896	Susano, J., Affirmed and Remanded	Rule 11	Denied - Application of Michael and Sherry Clawson (Order filed 11-12-2010)
Jonathan Davis v. Jim Morrow, Warden E2010-00396-SC-R11-HC	Bledsoe County Circuit Court Judge J. Curtis Smith No. 2009-CR-52	McMullen, J., Affirmed	Rule 11	Denied - Application of Jonathan Davis (Order filed 11-10-2010)
State of Tennessee v. Christina Kay Deering E2009-01572-SC-R11-PC	Jefferson County Circuit Court Judge O. Duane Slone No. 21985	Ogle, J., Affirmed, Pursuant to Rule 20, Rules of the Court of Criminal Appeals	Rule 11	Denied - Application of Christina Kay Deering (Order filed 11-10-2010)
State of Tennessee v. Gary Edward Dougherty E2009-01782-SC-R11-CD	Sullivan County Circuit Court Judge Robert H. Montgomery, Jr. No. S51334	Wedemeyer,J., Affirmed	Rule 11	Denied as Moot - Application of Gary Edward Dougherty (Order filed 11-10-2010)

State of Tennessee v. Bobby Dewaine England E2009-01589-SC-R11-CD	Cumberland County Circuit Court Judge David A. Patterson No. 08-0145	Thomas, J., Affirmed	Rule 11	Denied - Application of Bobby Dewaine England; Denied - Appellant's Motion to Appoint Counsel (Order filed 11-12-2010)
Farrell Ervin v. Estate of Cleo Snapp and Margaret Swingle E2009-00551-SC-R11-CV	Washington County Probate Court Chancellor G. Richard Johnson No. P4122905	McClarty, J., Affirmed and Remanded	Rule 11	Denied - Application of Farrell Evin and Annie Dowd (Order filed 11-10-2010)
Ricky Lee Gann v. State of Tennessee E2009-01272-SC-R11-CD	Hamilton County Criminal Court Judge Barry a. Steelman Nos. 266161, 266582, 268375 and 268376	Thomas, J., Affirmed	Rule 11	Denied - Application of Ricky Lee Gann (Order filed 11-10-2010)
State of Tennessee v. Ernest Hurd E2009-00872-SC-R11-CD	Anderson County Circuit Court Judge Donald Ray Elledge No. 90CR0466	Thomas, J., Affirmed	Rule 11	Denied - Application of Ernest Hurd (Order filed 11-10-2010)
State of Tennessee v. Daniel H. Jones E2009-00182-SC-R11-CD	Sullivan County Criminal Court Judge Robert H. Montgomery, Jr. Nos. S52,468; S53,126 and S53,127	Thomas, J., Affirmed	Rule 11	Denied - Application of Daniel H. Jones; Denied - Daniel H. Jones' Motion for Permission to Consider Post-Judgment Fact (Order filed 11-12-2010)
Robert M. Linder v. State of Tennessee E2010-00462-SC-R11-HC	Morgan County Circuit Court Judge Eugene Eblen No. 09-CR-9516	Tipton, J., Affirmed	Rule 11	Denied - Application of Robert M. Linder; Denied as Moot - Robert M. Linder's Motion for Appointment of Counsel (Order filed 11-10-2010)

State of Tennessee v. Donovan Michael Munroe, Jr. E2008-00129-SC-R11-CD	Sullivan County Circuit Court Judge Robert H. Montgomery No. S42,456	Thomas, J., Affirmed in Part; Reversed in Part and Remanded	Rule 11	Denied - Application of Donovan Michael Munroe, Jr. (Order filed 11-12-2010)
State of Tennessee v. Richard Dean Nance E2009-01814-SC-R11-CD	Washington County Criminal Court Judge Robert E. Cupp No. 32583	Witt, J., Affirmed	Rule 11	Denied - Application of Richard Dean Nance (Order filed 11-12-2010)
Stephen S. Patterson, II v. SunTrust Bank E2009-01947-SC-R11-CV	Blount County Circuit Court Judge W. Dale Young No. L-15908	Susano, J., Vacated	Rule 11	Denied - Application of Stephen S. Patterson, II (Order filed 11-12-2010)
State of Tennessee v. Chase Courtland Powell E2009-01301-SC-R11-CD	Knox County Criminal Court Judge Richard R. Baumgartner No. 89654	Witt, J., Vacated in Part; Affirmed in Part	Rule 11	Denied - Application of Chase Courtland Powell (Order filed 11-12-2010)
State of Tennessee v. Dwight J. Shankle E2009-01768-SC-R11-CD	McMinn County Circuit Court Judge Carroll L. Ross No. 08-267	McMullen, J., Affirmed	Rule 11	Denied - Application of Dwight J. Shankle (Order filed 11-10-2010)
Craig E. Shears v. State of Tennessee E2008-02726-SC-R11-PC	Knox County Criminal Court Judge Bob R. McGee No. 85297	Thomas, J., Affirmed	Rule 11	Denied - Application of Craig E. Shears (Order filed 11-12-2010)
Kenneth L. Storey v. State of Tennessee E2009-00767-SC-R11-PC	Knox County Criminal Court Judge Richard R. Baumgartner No. 88405	Ogle, J., Affirmed	Rule 11	Denied - Application of Kenneth L. Storey (Order filed 11-12-2010)

State of Tennessee v. Richard Trehern E2009-00066-SC-R11-CD	Hawkins County Circuit Court Judge John F. Dugger, Jr. No. 07CR0303	Tipton, J., Affirmed	Rule 11	Denied - Application of Richard Trehern (Order filed 11-12-2010)
<u>Jackson</u>				
Jerry Anderson v. State of Tennessee W2010-01251-SC-R11-PC	Madison County Circuit Court Judge Donald H. Allen No. C-00-140	McMullen, J., Dismissed	Rule 11	Denied - Application of Jerry Anderson (Order filed 11-12-2010)
Evan Ethelread Arrindell v. Gail Marvita Shipp Arrindell W2009-00575-SC-R11-CV	Shelby County Circuit Court Judge John R. McCarroll No. CT-001214-07	Kirby, J., Affirmed as Modified	Rule 11	Denied - Application of Evan Ethelread Arrindell (Order filed 11-10-2010)
Jevon Bryant v. State of Tennessee W2009-00229-SC-R11-PC	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 01-08322-33	Williams, J., Affirmed	Rule 11	Denied - Application of Jevon Bryan (Order filed 11-10-2010)
Kimberly Byars v. Earl Young W2008-02721-SC-R11-CV	Shelby County Juvenile Court Referee Cary Woods No. M2203	Kirby, J., Affirmed in Part; Reversed in Part; Remanded	Rule 11	Denied - Application of Kimberly Byars (Order filed 11-10-2010)
State of Tennessee v. Dominic Delvekio Carter W2009-01612-SC-R11-CD	Madison County Circuit Court Judge Donald H. Allen No. 08-387	Glenn, J., Affirmed	Rule 11	Denied - Application of Dominic Delvekio Carter (Order filed 11-12-2010)

State of Tennessee v. Newt Carter W2009-00600-SC-R11-CD	Madison County Circuit Court Judge Roy B. Morgan No. 07-498	McLin, J., Affirmed	Rule 11	Denied - Application of Newt Carter (Order filed 11-12-2010)
State of Tennessee v. James Alvin Castleman W2009-01661-SC-R11-CD	Carroll County Circuit Court Judge Donald E. Parish No. 01CR1672	Glenn, J., Reversed; conviction Reinstated	Rule 11	Denied - Application of James Alvin Castleman (Order filed 11-12-2010)
State of Tennessee v. Cassandra Hendricks Franklin W2009-01087-SC-R11-CD	Tipton County Circuit Court Judge Joe Walker No. 5975	Glenn, J., Affirmed	Rule 11	Denied - Application of Cassandra Hendricks Franklin (Order filed 11-10-2010)
State of Tennessee v. Manuel Haynes W2009-00599-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 07-06993	McLin, J., Affirmed	Rule 11	Denied - Application of Manuel Haynes (Order filed 11-12-2010)
State of Tennessee v. Eric Hubbard W2009-00977-SC-R11-CD	Shelby County Criminal Court Judge W. Mark Ward No. 07-06938	McLin, J., Affirmed	Rule 11	Denied - Application of Eric Hubbard (Order filed 11-10-2010)
Timothy Hutson v. State of Tennessee W2009-00680-SC-R11-PC	Shelby County Criminal Court Judge Carolyn Wade Blackett No. 05-02606	McLin, J., Affirmed	Rule 11	Denied - Application of Timothy Hutson (Order filed 11-10-2010)
State of Tennessee v. Daniel Lopez W2008-02572-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 06-00684	Williams, J., Affirmed	Rule 11	Denied - Application of Daniel Lopez (Order filed 11-12-2010)

Marvin Anthony Matthews v. State of Tennessee W2010-000442-SC-R11-HC	Lake County Circuit Court Judge R. Lee Moore No. 10-CR-9401	McLin, J., Affirmed - Rule 20	Rule 11	Denied - Application of Marvin Anthony Matthews (Order filed 11-12-2010)
David Jones Milton v. State of Tennessee W2008-02838-SC-R11-PC	Carroll County Circuit Court Judge Donald Parish No. 04CR21	Glenn, J., Affirmed	Rule 11	Denied - Application of David Jones Milton (Order filed 11-10-2010)
State of Tennessee v. Tarrence Parham W2009-00709-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. 06-00017	McLin, J., Affirmed as Modified and Remanded	Rule 11	Denied - Application of Tarrence Parham (Order filed 11-10-2010)
State of Tennessee v. Linda Pinkins W2009-02037-SC-R11-CD	Shelby County Criminal Court Judge John T. Fowlkes No. 09-02193	McLin, J., Affirmed	Rule 11	Denied - Application of Linda Pinkins (Order filed 11-10-2010)
State of Tennessee v. Larry Carnell Pittman W2007-00589-SC-R11-CD	Madison County Circuit Court Judge Roger A. Page No. 06-161	Thomas, J., Affirmed	Rule 11	Denied - Application of Larry Carnell Pittman (Order filed 11-12-2010)
State of Tennessee v. Joseph Pollard W2008-02436-SC-R11-CD	Shelby County Criminal Court Judge John Colton No. 06-04223	McLin, J., Affirmed	Rule 11	Denied - Application of Joseph Pollard (Order filed 11-10-2010)
State of Tennessee v. Brent Richardson W2009-00778-SC-R11-CD	Madison County Circuit Court Judge Roger Page No. 08-180	Glenn, J., Affirmed	Rule 11	Denied - Application of Brent Richardson (Order filed 11-10-2010)

State of Tennessee v. Rashad G. Robinson W2009-00264-SC-R11-CD	Madison County Circuit Court Judge Roger Page No. 08-327	McLin, J., Affirmed	Rule 11	Denied - Application of Rashad G. Robinson (Order filed 11-10-2010)
State of Tennessee v. Theresa W. Robinson W2009-01681-SC-R11-CD	McNairy County Circuit Court Judge J. Weber McCraw No. 2388	Glenn, J., Appeal Dismissed	Rule 11	Denied - Application of the State of Tennessee (Order filed 11-12-2010)
State of Tennessee v. Terance Rose W2008-02214-SC-R11-CD	Shelby County Criminal Court Judge David G. Hayes No. 07-04461	McLin, J., Affirmed	Rule 11	Denied - Application of Terance Rose (Order filed 11-12-2010)
Michael Sample v. State of Tennessee W2008-02466-SC-R11-PD	Shelby County Criminal Court Judge Chris Craft Nos. P-14252, P-10627, P-06948, P-07021	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Michael Sample (Order filed 11-12-2010)
Ambreco Shaw v. State of Tennessee W2008-02064-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 02-05450	Woodall, J., Affirmed	Rule 11	Denied - Application of Ambreco Shaw (Order filed 11-12-2010)
John Skipper and Brenda Skipper v. Wells Fargo Bank, N.A. W2009-01786-SC-R11-CV	Shelby County Chancery Court Judge Walter Evans No. CH-07-1599-I	Highers, J., Affirmed in Part; Reversed in Part; Remanded	Rule 11	Denied - Application of Wells Fargo Bank, N.A.; <i>The opinion of the Court of Appeals is designated "Not for Citation" in accordance with Supreme Court Rule 4(E)(1).</i> (Order filed 11-10-2010)

State of Tennessee v. David Smith W2009-02002-SC-R11-CD	Shelby County Criminal Court Judge Chris B. Craft No. 07-04399	Glenn, J., Affirmed	Rule 11	Denied - Application of David Smith (Order filed 11-10-2010)
Demario Tabb v. State of Tennessee W2009-01249-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. 04-03360	Williams, J., Affirmed	Rule 11	Denied - Application of Demario Tabb (Order filed 11-12-2010)
State of Tennessee v. Jerry Tate W2009-01474-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgins No. 07-03130	Glenn, J., Affirmed	Rule 11	Denied - Application of Jerry Tate (Order filed 11-12-2010)
State of Tennessee v. Adrian Todd W2008-02446-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 06-07199	McLin, J., Affirmed	Rule 11	Denied - Application of Adrian Todd (Order filed 11-12-2010)
Tony Walker v. State of Tennessee W2009-00988-SC-R11-CO	Gibson County Circuit Court Judge Allen W. Wallace No. 15248	Glenn, J., Affirmed	Rule 11	Denied - Tony S. Walker's "Motion and/or Petition for Rehearing" (Order filed 11-10-2010)
Tony Walker v. State of Tennessee W2009-00988-SC-R11-CO	Gibson County Circuit Court Judge Allen W. Wallace No. 15248	Glenn, J., Affirmed	Rule 11	Denied - Tony S. Walker's Second Petition for Rehearing (Order filed 11-15-2010)
State of Tennessee v. Lori Michelle Waller W2010-00106-SC-R11-CD	Carroll County Circuit Court Judge Donald E. Parish No. 09CR165	Glenn, J., Affirmed, pursuant to Rule 20, Rules of the Court of Criminal Appeals	Rule 11	Denied - Application of Lori Michelle Waller (Order filed 11-10-2010)

State of Tennessee v. Devon O'Neal Wiggins W2008-01078-SC-R11-CD	Dyer County Circuit Court Judge Russell Lee Moore No. 07-CR-461	McMullen, J., Affirmed	Rule 11	Denied - Application of Devon O'Neal Wiggins (Order filed 11-12-2010)
State of Tennessee v. Paul Williams W2009-02179-SC-R11-CD	Carroll County Circuit Court Judge Creed McGinley No. 09CR162	Welles, J., Affirmed	Rule 11	Denied - Application of Paul Williams (Order filed 11-12-2010)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**MICHAEL LIND v. BEAMAN DODGE, INC. D/B/A BEAMAN DODGE CHRYSLER JEEP
ET AL.**

**Circuit Court for Rutherford County
No. 59485**

No. M2010-01680-SC-S09-CV

ORDER

Upon consideration of the Tenn. R. App. P. 9 interlocutory appeal filed on behalf of Beaman Dodge, Inc., and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

STATE OF TENNESSEE v. LONNIE L. CROSS

**Criminal Court for Bradley County
No. M-07-478**

No. E2008-02792-SC-R11-CD

ORDER

Upon consideration of the Tenn. R. App. P. 11 applications for permission to appeal filed on behalf of the State of Tennessee and Lonnie Cross, and the record before us, the applications are granted.

In addition to the issues presented by the parties in their respective Tenn. R. App. P. 11 applications for permission to appeal, the Court requests the parties to address whether, in light of *State v. Moore*, 77 S.W.3d 132, 136 (Tenn. 2002), it was plain error to convict Mr. Cross in count one of felony reckless endangerment when that offense is not a lesser-included offense of the charged offense.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

DISCOVER BANK v. JOY A. MORGAN

**Circuit Court for Sevier County
No. 2006-0172-II**

No. E2009-01337-SC-R11-CV

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of Joy A. Morgan, and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

STATE OF TENNESSEE v. DAVID NAGELE

**Criminal Court for Knox County
No. 75138**

No. E2009-01313-SC-R11-CD

ORDER

Upon consideration of David Nagele's application for permission to appeal and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM